

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	
UNITED STATES OF AMERICA	:	
	:	CONSENT PRELIMINARY ORDER
- v. -	:	OF FORFEITURE/
	:	<u>MONEY JUDGMENT</u>
BARREY DANVERS,	:	
	:	S5 20 Cr. 163 (PKC)
Defendant.	:	
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WHEREAS, on or about October 26, 2021, BARREY DANVERS (the “Defendant”), was charged in a two-count Superseding Information S5 20 Cr. 163 (PKC) (the “Information”), with drug adulteration and misbranding conspiracy, in violation of Title 18, United States Code, Section 371 (Count One); and drug adulteration and misbranding, in violation of Title 21, United States Code, Sections 331, 333(a)(2) and 2 (Count Two);

WHEREAS, the Information included a forfeiture allegation as Counts One and Two of the Information, seeking forfeiture to the United States, pursuant to Title 21, United States Code, Section 334 and Title 28, United States Code, Section 2461, any and all drugs that were adulterated or misbranded when introduced into or while in interstate commerce or while held for sale (whether or not the first sale) after shipment in interstate commerce, or which may not, under the provisions of section 331(11), 344, or 355 of this title have been introduced into interstate commerce, including but not limited to a sum of money in United States currency representing the amount of forfeitable property as a result of the offenses charged in Counts One and Two of the Information (the “Forfeitable Property”);

WHEREAS, on or about October 26, 2021, the Defendant pled guilty to Counts

One and Two of Information, pursuant to a plea agreement with the Government, wherein the Defendant admitted the forfeiture allegation with respect to Counts One and Two of the Information and agreed to forfeit to the United States pursuant to Title 21 United States Code, Section 334 and Title 28, United States Code, Section 2461(c), a sum of money in United States currency representing the value of the Forfeitable Property;

WHEREAS, the Defendant consents to the entry of a money judgment in the amount of \$58,030 in United States currency, representing the value of the Forfeitable Property; and

WHEREAS, the Defendant admits that, as a result of acts and/or omissions of the Defendant, the Forfeitable Property cannot be located upon the exercise of due diligence.

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney Damian Williams, United States Attorney, Assistant United States Attorney Sarah Mortazavi, of counsel, and the Defendant and his counsel, Sharon Piper Donovan, Esq., that:

1. As a result of the offenses charged in Counts One and Two of the Information, to which the Defendant pled guilty, a money judgment in the amount of \$58,030 in United States currency (the "Money Judgment"), representing the value of the Forfeitable Property, shall be entered against the Defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Consent Preliminary Order of Forfeiture/Money Judgment is final as to the Defendant BARREY DANVERS, and shall be deemed part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith.

3. All payments on the outstanding money judgment shall be made by postal money order, bank or certified check, made payable, in this instance, to the United States Marshals Service, and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Money Laundering and Transnational Criminal Enterprises Unit, One St. Andrew's Plaza, New York, New York 10007 and shall indicate the Defendant's name and case number.

4. The United States Marshals Service is authorized to deposit the payments on the Money Judgment into the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

5. Pursuant to Title 21, United States Code, Section 853(p), the United States is authorized to seek forfeiture of substitute assets of the Defendant up to the uncollected amount of the Money Judgment.


6. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.

7. The Court shall retain jurisdiction to enforce this Consent Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

8. The signature page of this Consent Preliminary Order of Forfeiture/Money Judgment may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

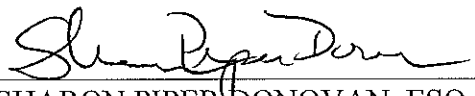
By: 
SARAH MORTAZAVI
Assistant United States Attorney
One St. Andrew's Plaza
New York, NY 10007
(212) 637-2520

10/12/23
DATE

BARRERY DANVERS

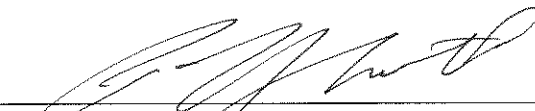
By: 
BARRY DANVERS

10/12/23
DATE

By: 
SHARON PIPER DONOVAN, ESQ.
Attorney for Defendant
1600 Market Street
Philadelphia, PA 19103

10/12/23
DATE

SO ORDERED:


HONORABLE P. KEVIN CASTEL
UNITED STATES DISTRICT JUDGE

10-12-23
DATE